

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LE'NETTA W. STONE,

Plaintiff,

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

Case No. 13-10044

HON. TERRENCE G. BERG
HON. MONA K. MAJZOUB

ORDER ADOPTING REPORT AND RECOMMENDATION (Dkt. 20)

This matter is before the Court on Magistrate Judge Mona K. Majzoub's November 13, 2013 Report and Recommendation (Dkt. 20), recommending that Plaintiff's Motion for Summary Judgment (Dkt. 16) be GRANTED, that Defendant's Motion for Summary Judgment (Dkt. 18) be DENIED, and that the case be REMANDED to the Commissioner for further proceedings, pursuant to sentence four of 42 U.S.C. §405(g).

The Court has reviewed the Magistrate Judge's Report and Recommendation. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a "de novo determination of those portions of the report . . . to which objection is made." *Id.* Where, as here, neither party objects to the report,¹ the district court is not obligated to independently

¹ On December 2, 2013, Plaintiff filed a Response to the Magistrate Judge's Report and Recommendation. Having reviewed this Response, the Court does not construe it as an objection.

review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). Nevertheless, the Court has carefully reviewed and does hereby accept the Magistrate Judge's Report and Recommendation of November 13, 2013, as this Court's findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Majzoub's Report and Recommendation of November 13, 2013 (Dkt. 20) is **ACCEPTED** and **ADOPTED**.

It is **FURTHER ORDERED** that Plaintiff's Motion for Summary Judgment (Dkt. 16) is **GRANTED**, Defendant's Motion for Summary Judgment (Dkt. 18) is **DENIED**, and the case is **REMANDED** to the Commissioner, pursuant to sentence four of 42 U.S.C. §405(g), for reconsideration of the weight to be assigned to the opinion of Dr. Sprague, at which point new evidence may also be considered in full.

Dated: December 23, 2013

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that this Order was electronically submitted on December 23, 2013, using the CM/ECF system; a copy of this Order was also addressed to Plaintiff and mailed to 22846 Nadyne Street, Brownstown, Michigan 48183.

s/A. Chubb
Case Manager

Rather, the Response conveys the exact opposite; i.e., that Plaintiff "welcome[s] the recommendation for reverse and remand." (Dkt. 21, Pl. Resp.).